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Item 3 of the provisional agenda

ORGANIZATION OF THE WORK OF THE SESSION

Main rules and practices followed by the Commission on Human Rights in the organization of its work and the conduct of business

Note by the secretariat

1. This information note is an updated version of the document prepared by the secretariat of the Commission on Human Rights in 2001 (E/CN.4/2001/CRP.1), which included all the main rulings of the Chairpersons of the Commission and recommendations of its Bureau endorsed by the plenary of the Commission, relating to the organization of work and the conduct of business, as well as the pertinent rules and practices followed by the secretariat.

2. At its fifty-seventh session, the Commission revised a number of paragraphs of CRP.1 and added additional language to some of its provisions. The Commission also decided that consultations should continue with regard to paragraph 23 of CRP.1 (see paragraph 26 below), as well as on the additional paragraphs proposed by one regional group.

3. At the request of the Bureau of the Commission, the secretariat has included in the present document new paragraphs describing the procedure followed by the Commission in taking action on draft proposals. Also added are new provisions relating to the presence of accredited correspondents and photographers in the conference room.

4. Bearing in mind the rules of procedure of the functional commissions of the Economic and Social Council (E/5975/Rev.1), which remain applicable in all circumstances, and without prejudice to any decisions which the Commission on Human Rights may adopt under the present agenda item at its fifty-eighth session, the main rules and practices followed by the Commission in the organization of work and the conduct of business are as follows.

I. RULES AND PRACTICES RELATING TO THE GENERAL DEBATE

Speaking time and other arrangements

5. Members of the Commission: one statement of 10 minutes or two statements of five minutes per item.

6. All observers (Governments, intergovernmental organizations, specialized agencies and non-governmental organizations (NGOs)): one statement of five minutes per item.

7. Under the agenda items concerning economic, social and cultural rights (item 10) and civil and political rights (item 11), two additional minutes may be given, at the discretion of the Chair, for oral statements by States members of the Commission and all observers, including NGOs.

8. Each NGO is entitled to not more than six statements per session.

Joint statements

9. Joint statements by States and by NGOs will be encouraged and more time, within reasonable limits, will be given to such statements. Governmental speakers making joint statements should provide the Chair with an indication of the time required for their statement. If following a joint statement by States that has exceeded 10 minutes individual States that participated in the joint statement wish to take the floor again under the same item, they may do so on the condition that the State(s) concerned speak for half the time normally allotted.

10. With regard to joint statements by NGOs, the following timing shall apply:

1 or 2 NGOs:	5 minutes
3 to 5 NGOs:	7 minutes
6 to 10 NGOs:	10 minutes
More than 10 NGOS:	12 minutes

11. NGOs making joint statements may request to speak prior to NGOs speaking individually. In view of the limitation of six statements per NGO per session, participation by an NGO in a joint statement would count as one third of a normal statement.

12. When an NGO which has participated in a joint statement opts, in addition, to speak individually under the same agenda item, this would count as one third of a normal statement within the limit of six to which each NGO is entitled, and the individual statement should not exceed 2½ minutes (i.e. one half of the time normally allotted).

13. All NGOs participating in joint statements should be duly accredited as participants at the session concerned.

Other rules that apply to NGO statements

14. All NGO representatives shall start their oral statements by saying "I speak on behalf of ..." and give the name(s) of their respective NGO(s). The speaker takes the floor as a representative of the NGO that accredited him or her. That NGO takes full responsibility for the contents of the statement. All NGOs are encouraged to make written copies of oral statements available to the conference room officers for the précis-writers, interpreters and press officers. Whenever written copies of NGO statements clearly identify the speaker representing the NGO, the Chair will assume that that person will actually deliver the statement.

"Concerned" countries

15. For members of the Commission and observer States that are the subject of specific Commission reports or are considered as concerned countries by the Bureau,[1] five additional minutes are added to their normal speaking time under the relevant item. In practical terms, this means that concerned members of the Commission will be allowed to speak for a total of 15 minutes and concerned observers for 10 minutes; their total speaking time may be divided between two separate statements, if they so wish. It has been the usual practice to allow concerned countries to take the floor immediately after the special rapporteur/representative/expert presents his or her report. It has also been the practice of the Commission to allow concerned observer States to take the floor for a short statement at the end of the consideration of relevant draft resolutions/decisions or Chairperson's statements, before the Commission moves to a vote.

Special procedures

16. Special rapporteurs/representatives/independent experts/chairpersons of working groups are entitled to an introductory (initial) statement of 10 minutes, plus 2 additional minutes for each mission undertaken by thematic rapporteurs, and concluding remarks of 5 minutes, if requested.

17. All special rapporteurs/representatives/independent experts/chairpersons of working groups are requested to be present in the conference room when their reports are being discussed and should, to the extent possible, be present throughout the consideration of the relevant agenda item(s).

18. Question-and-answer sessions or briefings may be organized for special rapporteurs/representatives/independent experts/chairpersons of working groups (to be held parallel to the plenary or during the lunch hours, avoiding to the extent possible the proliferation of informal meetings and the holding of various meetings simultaneously). These meetings are designed to allow for a fuller discussion between special procedures, States and NGOs.

19. At each session, the Chairperson may, in cases where he deems it appropriate, call on the members of the Commission and all participants in its work to ensure that the work is carried out in an orderly manner and in conditions of mutual respect.

Dignitaries

20. Guest speakers (dignitaries) should limit their statements to 15 minutes, with the possibility for the Chairperson to allow, at his discretion, up to 5 additional minutes. Guest speakers or dignitaries are usually government representatives of ministerial or higher rank or heads of intergovernmental organizations and specialized agencies who make policy statements on behalf of their Governments or organizations.[2] They normally address the Commission from the podium. If speakers at ministerial level intend to participate in the Commission's discussion on a particular agenda item, they may - if they so wish - also speak from the seat of their country delegation.

Rights of reply

21. Rights of reply will be limited to two replies, of three minutes for the first and two minutes for the second. All rights of reply will be exercised at the end of the meeting, at the end of the day (6 p.m.) or at the end of the general debate on any particular item.

National institutions

22. National human rights commissions (institutions) or coordinating committees of such commissions may only take the floor under the relevant agenda item (currently item 18 (b)) and make one statement of up to seven minutes from special seats reserved for them. Copies of oral statements made by representatives of national institutions may be circulated in the conference room during the consideration of agenda item 18 (b) and, if requested, information or reports received from national institutions on their regional meetings may be circulated as documents of the Commission.

Introduction of draft resolutions

23. The introduction of draft resolutions by one of the sponsors should be limited to up to five minutes.

II. LIST OF SPEAKERS

24. The list of speakers is opened at the beginning of the session for all participants for inscription under all agenda items.

25. Speakers are inscribed on three separate lists: for members, for observers and for NGOs, and always speak in this order. If a group of States comprises both members of the Commission and observers, the group statement could be inscribed on the speakers' list for members even if the State making the statement does not have membership status.

26. If the list of speakers has not been exhausted during a particular meeting, the remaining speakers will be given the floor, in the same order, as the first speakers at the next meeting, unless the Bureau decides otherwise.[3]

27. Delegations which inscribe themselves on the list of speakers are expected to take the floor when their turn comes. Changing place on the list of speakers is only possible through a mutually agreed change ("switch") with another interested delegation belonging to the same category of participants, i.e. members, observer Governments or NGOs.

28. NGOs which are inscribed on the list of speakers and whose representatives are absent when their turn comes to take the floor will not be allowed to take the floor under the agenda item in question.

29. The closure of the list of speakers on any particular item(s) is announced by the Chair in good time.

III. DRAFT RESOLUTIONS

30. Draft resolutions and decisions should be submitted, with due respect for editorial and other requirements, at least three working days before the date on which they are scheduled to be put to a vote. All draft resolutions and decisions or amendments thereto should be printed in double spacing and be accompanied by a diskette, with the name and the contact number of the main sponsor indicated.

31. The deadline for submission of draft resolutions is set by the Chair in consultation with the Bureau and announced in good time. Only in very exceptional cases will deadlines for the submission of draft resolutions be extended.

IV. QUORUM

32. The Commission normally dispenses with the requirement of a quorum except for the meetings at which a vote is taken.

V. POINTS OF ORDER

33. The Commission shall continue to apply the ruling made by the Chairperson of its fifty-fifth session giving the observer for Palestine the right to raise points of order "relating to the Palestinian and Middle East issues", provided that the right to raise such a point of order shall not include the right to challenge a decision by the presiding officer.

34. The right to raise points of order was also extended to representatives of States Members of the United Nations not members of the Commission on Human Rights but participating in its work in an observer capacity.

35. The Commission shall also continue to apply the ruling made by the Chairperson of its fifty-fourth session that recourse to points of order as a means of interrupting guest speakers would not be allowed (see also the note to paragraph 20 above).

VI. AGENDA ITEMS 3 AND 4

36. Agenda item 3, entitled "Organization of the work of the session", shall remain open throughout the session of the Commission.

37. Agenda item 4, entitled "Report of the United Nations High Commissioner for Human Rights and follow-up to the World Conference on Human Rights", shall remain open throughout the session of the Commission in order to allow the High Commissioner to make statements or to present reports during the course of the session.

38. The Bureau of the Commission will be informed in advance of the High Commissioner's intentions and the timing of her statements. After the High Commissioner's presentation, comments/statements may be made by concerned or interested countries.

VII. ACTION ON DRAFT PROPOSALS EMANATING FROM THE SUB-COMMISSION

39. All draft proposals emanating from the Sub-Commission on the Promotion and Protection of Human Rights shall be considered under the relevant agenda items of the Commission.

VIII. VOTING PROCEDURE

40. The Commission takes up draft resolutions and decisions submitted under each agenda item, one by one, in accordance with the following standard procedures:

(a) Introduction of the draft resolution or decision by one of the sponsors (except for draft proposals coming from the Sub-Commission);

(b) Additional sponsors, if any, are announced by the Secretary. All other delegations wishing to sponsor a proposal should come to the secretariat at the podium to sign the document;

(c) The floor is then given to members of the Commission for general comments on the draft proposal. This may include the submission of amendments and other proposals and motions. At this stage, the floor may also be given to observer delegations which are directly implicated in the draft resolution/decision ("concerned" countries) (see also paragraph 15 above);

(d) If appropriate, the floor is then given to a representative of the secretariat to inform the Commission of the administrative and programme budget implications of the draft proposal;

(e) If requested, the Commission will then hear explanations of vote before the vote on the draft proposal by members of the Commission that are not sponsors of the draft proposal,

(f) The Commission then proceeds to take action on the draft proposal, which may be adopted without a vote, by a show of hands or by a roll-call vote;

(g) Explanations of vote after the vote by members of the Commission that are not sponsors of the draft proposal are normally heard on any resolutions/decisions adopted under a particular item after action has been taken on the last draft proposal under this item.

IX. WRITTEN STATEMENTS BY NGOs

41. All written statements by NGOs shall be circulated in the working language(s) in which they are submitted.

X. DISTRIBUTION OF STATEMENTS

42. All delegations wishing to do so shall distribute copies of their statements immediately outside the conference room or place them on the tables at the back of the conference room. Government delegations may, if they so wish, have copies of their statements circulated by the secretariat. In this case, delegations should find out from the secretariat the minimum number of copies required for this purpose (normally 250 copies).

XI. MEETINGS OF THE BUREAU

43. The Bureau of the Commission normally meets on Tuesdays and Fridays at 8 a.m. or whenever necessary.

XII. ANNOUNCEMENTS BY THE SECRETARIAT

44. Delegations show transparency by requesting the secretariat to announce the holding of consultations on draft resolutions or decisions. To promote openness and transparency even further, the secretariat always announces the names of the country or countries organizing such consultations and posts the announcements on notice boards inside and outside the conference room.

XIII. TRANSPARENCY AND CONSULTATIONS

45. It has become a practice of the Commission that delegates consult as widely as possible and in as transparent a manner as possible on draft resolutions, to ensure that all delegations have ample opportunity to make an input when the Commission takes action on a particular resolution.

XIV. ACCREDITATION

46. With regard to national institutions for the promotion and protection of human rights, the practice of the Commission has been that the representatives of such institutions were accredited by the secretariat as observers for the entire session of the Commission or some of it, on the basis of letters received from their respective institutions. However, such representatives could only take the floor under agenda item 18 (b). Furthermore, the representatives of such institutions were given the floor irrespective of whether their particular institutions had been accredited by

the Credentials Committee of the International Coordinating Committee on National Institutions as having fulfilled the elements spelled out in the "Paris Principles", confirmed by the General Assembly in its resolution 48/134 of 2 December 1993. (See also paragraph 22 above.)

47. With regard to accreditation of NGOs, the practice has been that, pursuant to Economic and Social Council resolution 1996/31, it is up to the NGOs themselves to designate authorized representatives to participate as observers in public meetings of the Commission on Human Rights. The legitimacy of duly accredited NGO representatives is therefore not challenged by the Commission as such, and their status in and relationship with the organization they represent are not questioned. It is the responsibility of the secretariat to ensure that NGOs are duly accredited in accordance with existing rules and procedures. Whenever any Government delegation participating in the work of the Commission requests the secretariat to verify or confirm the accreditation of any particular NGO representative(s), immediate action is taken in this regard and the results of the verification are publicly reported by the secretariat to the plenary of the Commission or brought to the attention of the expanded Bureau of the Commission.

48. There has been a long-standing practice in the Commission of so-called "multiple representation" when several NGOs were represented in the Commission by the same person. There is nothing in Economic and Social Council resolution 1996/31 incompatible with one person representing two or more NGOs, as long as it is clear on behalf of which NGO or NGOs that person acts and speaks in each instance.

XV. SEATING AND OTHER ARRANGEMENTS FOR NGOs IN THE CONFERENCE ROOM

49. In view of the limited number of conference-table seats available for NGOs in the conference room, NGO representatives are asked not to occupy more than one seat per organization. They are also requested to remove their documents and personal effects from their place each evening. Several seats in the conference room are reserved for the exclusive use of disabled persons.

50. To take the floor, NGO speakers should use the conference-table seats reserved primarily for that purpose.

51. NGOs are not permitted to distribute documents, pamphlets or any other material in the conference room. The monitoring of this rule is normally ensured by the conference room officer, who notifies the secretariat in case of violations. All serious cases of violations are brought to the attention of the Bureau of the Commission.

52. Any materials that NGOs intend to put in the "pigeon holes" reserved for States members of the Commission have first to be checked and authorized by the secretariat.

XVI. PARALLEL MEETINGS ORGANIZED BY NGOs

53. NGO representatives duly accredited to attend the session of the Commission who wish to reserve a conference room for the holding of meetings focused on items dealt with by the

Commission should apply to the secretariat of the Commission. The request should give the subject of the meeting, the time, and the name of the person responsible for the organization and conduct of the meeting. These meetings are announced on a notice board outside the conference room.

54. Persons not accredited to the Commission who are invited to take part in parallel meetings should go, with their passport, to the "Pregny" gate of the Palais des Nations where they will be issued with a visitor's badge. A list of such persons should be drawn up by the responsible organization and sent to the secretariat, if possible 48 hours prior to the date of the meeting.

XVII. PARTICIPATION OF ACCREDITED MEDIA

55. Accredited media may attend public sessions of the Commission. There are reserved seats in the press gallery and an audio mult-box for radio correspondents.

56. Only photographers with media accreditation are allowed to take photos in the Commission. Because of space limitations, some events may be covered by a limited photo-pool constituted by the Information Service.

57. Accredited television crews may cover the Commission's proceedings. They must be accompanied by a staff member of the Information Service. For logistical reasons, only two fixed cameras may be on the floor in the conference room at the same time. When necessary, pool coverage will be arranged by the Information Service.

XVIII. OHCHR WEB SITE

58. Delegations wishing to place on the OHCHR web site (www.unhchr.ch) statements made by guest speakers (dignitaries) should provide the secretariat of the Commission with an electronic version of the statement(s) in English, French or Spanish. The format required is Word Perfect or Microsoft Word on Windows-formated diskettes.

59. The web pages of the Commission on Human Rights will include the provisional and annotated agendas, the timetable for the consideration of agenda items, the orders of the day, a full list of documents submitted to the Commission, a list of resolutions and decisions as soon as they are adopted, as well as press releases and statements through the News Room. The Order of the Day of the Commission, which gives the programme of work, the relevant documentation and the list of speakers for the next day, is available on the web site every day, normally late in the evening.

60. Also put on the web site is the updated list of pre-session and in-session documents of the Commission showing the availability of each. Efforts are made by the secretariat to ensure that the resolutions and decisions of the Commission are also available on the web site soon after their adoption. The documents, resolutions and decisions are made available in English, French and Spanish, whereas press releases are issued in English and French only.

61. The Commission's meetings will be broadcast live on the Internet in English, French and Spanish (audio only). In order to listen to the debate, for instance from a personal computer, some technical preparations may have to be undertaken. For this reason, prior to the opening of the Commission session, the latest technical information in this regard will be posted on the Commission home page on the web site.

Notes

[1] A tentative list of "concerned" countries by agenda item will be prepared by the secretariat for consideration by the Bureau.

[2] An understanding was reached in the Commission on the following: statements by guest speakers are part of the general debate of the Commission. The only difference from other statements is that guest speakers are not bound by the item(s) under consideration (or even by the agenda of the Commission). In practice, this means that guest speakers may address any human rights issue. Since their statements are part of the general debate, the same procedural rules apply, including the possibility for any State to disagree with the statement. The normal channels for such disagreement are (a) to express it in the course of the general debate (as a regular statement); or (b) to exercise the right of reply at the end of the meeting. Rule 42 of the rules of procedure prohibits speaking on the substance of the matter in raising a point of order. Consequently, the Chair would not admit the use of "points of order" to express disagreement with or provide any arguments in favour of or against questions of substance raised by guest speakers. (See also paragraph 35 below.)

[3] This provision is still under consideration by the Commission (see also paragraph 2 above).